UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,419	08/15/2003	Marc Blumer	EFIM0073C1	1456

31408   7590   09/19/2007

LAW OFFICE OF JAMES TROSINO
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EXAMINER
JOSEPH, JAISON

ART UNIT	PAPER NUMBER
2611	

MAIL DATE	DELIVERY MODE
09/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.</td><td>Applicant(s)</td><td></td></tr>
<tr><td>10/642,419</td><td>BLUMER, MARC</td><td></td></tr>
<tr><td></td><td>Examiner</td><td>Art Unit</td><td></td></tr>
<tr><td></td><td>Jaison Joseph</td><td>2611</td><td></td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 July 2007</u>.

2a)☐ This action is **FINAL**.　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1 and 4</u> is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1 and 4</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   The Affidavit filed on 07/21/2007 under 37 CFR 1.131 has been considered but is

ineffective to overcome the Butaud reference.

The evidence submitted is insufficient to establish a reduction to practice of the

invention in this country or a NAFTA or WTO member country prior to the effective date

of the Butaud reference. The evidence submitted by the applicant failed to show "The

<u>37 CFR 1.131 affidavit or declaration must contain an allegation that the acts relied</u>

<u>upon to establish the date prior to the reference or activity were carried out in this</u>

<u>country or in a NAFTA country or WTO member country</u>" as required by MPEP. (see

MPEP 715.07(c)). Therefore Examiner maintains the rejection of claims 1 and 4.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claim 1 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by

Butaud et al (US Patent 6,737,904).

Regarding claim 1, Butaud et al teach system for generating a reduced amplitude clock pulse comprising: a clock signal generator for creating a clock signal (see figure 2, system clock generator 52), a delay line adapted to receive the clock signal and to generate a delayed clock signal (see figure 2, component 54); a multiplexer having a first input adapted to receive the clock signal (see figure 2, the first input to the multiplexer 56), a second input adapted to receive the delayed clock signal (see figure 2, the input to the multiplexer 56 from delay element 54), and a third input used to selectively couple the first and second inputs to a multiplexer output (see component 68) and a state machine having an output coupled the third input of the multiplexer, the state machine adapted to cause the multiplexer to select sequentially couple the first and second inputs to the multiplexer output (see components 60, 56 and output 64).

Regarding claim 4, Butaud et al teach a method for generating a reduced amplitude clock pulse, the method comprising: receiving a clock signal (see figure 2, the output of component 52); generating a delayed clock signal based on the clock signal (see figure 2, component 54), providing a multiplexer having a first input adapted to receive the clock signal (see figure 2, the first input to the multiplexer 56), a second input adapted to receive the delayed clock signal (see figure 2, the input to the multiplexer 56 from delay element 54), and a third input used to selectively couple the first and second inputs to a multiplexer output (see component 68), and providing a state machine (see component 60) having an output coupled to thirds input of the multiplexer (see figure 2, component 68), the state machine adapted to cause the

multiplexer to sequentially couple the first and second outputs to the multiplexer output (see components 60, 56, 68, 64).

4.   Claim 1 and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Jeong et al (US Patent 6,144,242).

Regarding claim 1, Jeong et al teach system for generating a reduced amplitude clock pulse comprising: a clock signal generator for creating a clock signal (see figure 3, clock input ck to the delay element 304 and column 3, lines 45 – 57), a delay line adapted to receive the clock signal and to generate a delayed clock signal (see figure 3 and figure 4C and 4D, delay elements 442); a multiplexer having a first input adapted to receive the clock signal (see figure 4C and 4D, the first input to the multiplexer 440), a second input adapted to receive the delayed clock signal (see figure 4C and 4D, the input to the multiplexer 440 from delay element 442), and a third input used to selectively couple the first and second inputs to a multiplexer output (see figure 4C and 4D, control input to MUX 440) and a state machine having an output coupled the third input of the multiplexer, the state machine adapted to cause the multiplexer to select sequentially couple the first and second inputs to the multiplexer output (see figure 3, control sequence generator 302 and the clock control signal).

Regarding claim 4, Jeong et al teach a method for generating a reduced amplitude clock pulse, the method comprising: receiving a clock signal (see figure 3, clock input ck to the delay element 304 and column 3, lines 45 – 57); generating a delayed clock signal based on the clock signal see figure 3 and figure 4C and 4D, delay

elements 442), providing a multiplexer having a first input adapted to receive the clock

signal (see figure 4C and 4D, the first input to the multiplexer 440), a second input

adapted to receive the delayed clock signal (see figure 4C and 4D, the input to the

multiplexer 440 from delay element 442), and a third input used to selectively couple the

first and second inputs to a multiplexer output ((see figure 4C and 4D, control input to

MUX 440), and providing a state machine (see figure 3, component 302) having an

output coupled to thirds input of the multiplexer (see figure 3, control input to component

304 and figure 4C and 4D control input to MUX 440), the state machine adapted to

cause the multiplexer to sequentially couple the first and second outputs to the

multiplexer output (see figure 3, control sequence generator 302 and the clock control

signal).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jaison Joseph whose telephone number is (571) 272-

6041. The examiner can normally be reached on M-F 9:30 - 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Chieh Fan can be reached on (571) 272-3042. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jaison Joseph
09/14/2007

CHIEH M. FAN
SUPERVISORY PATENT EXAMINER